

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 2-16-62, S. Dist. Ohio.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-16-62. Default—delivered to a charitable institution.

27852. Instant coffee. (F.D.C. No. 47249. S. No. 16-838 T.)

QUANTITY: 63 cases, 12 jars each, at Richmond, Ind.

SHIPPED: 2-12-62, from Toledo, Ohio, by Woolson Spice Co.

LABEL IN PART: (Jar) "Eavey's 100% Pure Instant Coffee Net Wt. 6 Oz. \* \* \* Distributed by Henry J. Eavey, Inc., Richmond, Indiana."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 4-2-62, S. Dist. Ind.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-12-62. Consent—claimed by Woolson Spice Co., and released under bond for repacking.

27853. Roasted coffee. (F.D.C. No. 47218. S. No. 21-999 T.)

QUANTITY: 86 cases, 24 cans each, at Pueblo, Colo.

SHIPPED: 10-2-61, from St. Louis, Mo., by James J. O'Conner Coffee Co.

LABEL IN PART: (Can) "Shurfine Coffee One Pound Net Weight Drip Grind \* \* \* Distributed by Central Retailer Owned Grocers, Inc., Northlake, Ill."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 2-28-62, Dist. Colo.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-23-62. Default—delivered to a public institution.

27854. Tea. (F.D.C. No. 47165. S. No. 5-252 T.)

QUANTITY: 29 cases, 24 boxes each, at Raleigh, N.C.

SHIPPED: 1-29-62, from Baltimore, Md., by McCormick & Co., Inc.

LABEL IN PART: (Box) "Net Wt. ¼ Lb. \* \* \* McCormick Black Tea \* \* \* McCormick & Co., Inc., Baltimore, Md."

RESULTS OF INVESTIGATION: Examination showed that the quantity of contents statement was inconspicuous due to being printed in very small type on a poorly contrasting background.

LIBELED: 3-2-62, E. Dist. N.C.

CHARGE: 403(f)—when shipped, the information required under 403(e)(2) to appear on the label, namely, the quantity of contents statement, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 4-17-62. Default—delivered to a charitable institution.

27855. Tea. (F.D.C. No. 47253. S. No. 16-839 T.)

QUANTITY: 24 cases, 24 ctns. each, at Richmond, Ind.

SHIPPED: 2-9-62, from Chicago, Ill., by Irwin-Harrisons-Whitney, Inc.

**LABEL IN PART:** (Ctn.) "Eavey's Brand Iced Tea \* \* \* Net Wt. 8 ozs. Henry J. Eavey Inc., Richmond, Ind.—Distributors."

**RESULTS OF INVESTIGATION:** Examination showed that the article was short weight.

**LIBELED:** 4-2-62, S. Dist. Ind.

**CHARGE:** 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of quantity of contents.

**DISPOSITION:** 4-12-62. Consent—claimed by Irwin-Harrisons-Whitney, Inc., and released under bond for repacking.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

**27856. Bread.** (F.D.C. No. 45569. S. Nos. 77-124/5 P, 43-496/9 R.)

**INFORMATION FILED:** 7-27-61, W. Dist. Wash., against Lippman's Bakery, Inc., Seattle, Wash.

**SHIPPED:** Between 11-30-59 and 6-30-60, from Washington to Oregon.

**LABEL IN PART:** (Pkg.) "Lippman's Bakery Seattle, Wash. Lippman's Slim Rye Min. Wt. 15 Ozs." and "Ann Palmer's Bakeries Portland, Ore. Whole Rye Bread [or "Pumpernickel Bread" or "Caraway Rye Bread"] Baked by Lippman's of Seattle, Wn. Minimum Weight 15 Oz."

**CHARGE:** 402(a)(3)—portions of the articles contained insects, insect fragments, and rodent hairs; and 402(a)(4)—all portions of the articles were prepared, packed, and held under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 9-18-61. \$500 fine and probation for 5 years.

**27857. Bread.** (F.D.C. No. 45684. S. No. 35-106 R.)

**INFORMATION FILED:** 9-14-61, Dist. N.J., against Zimmerman's Bakery, a partnership, Elizabeth, N.J., and Sanders Zimmerman, partner.

**SHIPPED:** 7-14-60, from New Jersey to Pennsylvania.

**LABEL IN PART:** (Pkg.) "Zimmerman's Family Size Old Fashion Table Rye \* \* \* Zimmerman's Bakery, Elizabeth, N.J. \* \* \* Net Wt. 1 lb. 8 ozs."

**CHARGE:** 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 9-29-61. Each defendant fined \$250.

**27858. Bread.** (F.D.C. No. 46012. S. Nos. 53-287 R, 99-625/8 R.)

**INFORMATION FILED:** 8-22-61, Dist. Mass., against Harry Lokas, t/a Liberty Bell Baking Co., Lawrence, Mass.

**SHIPPED:** Between 11-14-60 and 1-5-61, from Massachusetts to New Hampshire.

**LABEL IN PART:** (Pkg.) "Light [or "Dark"] Jewish Rye Bread Liberty Bell Bakery Lawrence, Mass." and "Jewish Pumpernickel Bread Liberty Bell Bakery Lawrence, Mass."

**CHARGE:** 402(a)(3)—contained rodent hair fragments and insect parts; and 402(a)(4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 12-4-61. \$750 fine.